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14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**  
 16 **SAN JOSE DIVISION**

18 IN RE SUBPOENA TO BayTSP, INC.  
 19 VIACOM INTERNATIONAL INC., *et al.*,  
 Plaintiffs,

20 v.

21 YOUTUBE, INC., *et al.*,  
 22 Defendants.  
 23 THE FOOTBALL ASSOCIATION PREMIER  
 LEAGUE LIMITED, *et al.*,  
 24 Plaintiffs,

25 v.

26 YOUTUBE, INC. *et al.*,  
 Defendants.

**CASE NO.: 08-MC-80211 JF (PVTx)**

**STIPULATION AND [XXXXXXXXXXXXXXXXXXXX]  
 ORDER EXTENDING TIME TO  
 PRODUCE DOCUMENTS**

(S.D.N.Y. CASE NOS. I :07-cv-021 03  
 (LLS) (FM); I :07-cv-3582 (LLS) (FM))  
 Judge: Honorable Jeremy Fogel

1 WHEREAS on September 27, 2007, YouTube, Inc., YouTube, LLC and Google Inc.,  
2 (collectively, “YouTube” or “Defendants”) issued a non-party subpoena (“Subpoena”) from this  
3 Court to BayTSP, Inc. (“BayTSP”) in connection with civil actions filed by Viacom  
4 International, Inc. *et al.* and The Football Association Premier League, *et al.* against YouTube,  
5 Inc. *et al.* in the United States District Court for the Southern District of New York, Case Nos. I  
6 :07-cv-021 03 (LLS) (FM) and I :07-cv-3582 (LLS) (FM), respectively (collectively, “SDNY  
7 Actions”). The Subpoena sought documents relating to BayTSP’s clients, including Viacom-  
8 related clients and non-Viacom-related clients;

9 WHEREAS BayTSP objected to the Subpoena on various grounds and YouTube moved  
10 to compel BayTSP’s compliance with the Subpoena. United States Magistrate Judge Patricia  
11 Trumbull granted YouTube’s motion to compel and ordered that BayTSP produce “documents  
12 related to the Viacom-related entities no later than March 6, 2009” and “documents related to the  
13 non-Viacom related entities no later than July 15, 2009”;

14 WHEREAS BayTSP objected to the Magistrate Judge’s order and the District Court, and  
15 Honorable Jeremy Fogel, overruled BayTSP’s objection on April 24, 2009;

16 WHEREAS BayTSP has largely completed production of documents related to the  
17 Viacom-related entities and will make a supplemental production on or about September 15,  
18 2009;

19 WHEREAS BayTSP and YouTube previously stipulated to extending the deadline for  
20 BayTSP to produce documents related to the non-Viacom related entities from July 15, 2009 to  
21 September 15, 2009;

22 WHEREAS the parties retained an electronic discovery vendor to collect and process for  
23 review the BayTSP source data;

24 WHEREAS BayTSP and YouTube reached agreement on the final search term list on  
25 September 11, 2009 to target responsive non-Viacom related documents, and the electronic  
26 discovery vendor is processing responsive documents to create a database for reviewing the  
27 documents;

28 WHEREAS the electronic discovery vendor expects to complete the processing on a

1 rolling basis in no more than 45 days, and the documents will thereafter be reviewed by BayTSP  
2 and its customers for privilege and responsiveness, and thereafter produced as appropriate;  
3 therefore

4 IT IS HEREBY AGREED THAT:

5 1. The deadline by which BayTSP must produce documents and a privilege log  
6 related to the non-Viacom entities is hereby extended from September 15, 2009 to October 15,  
7 2009, provided that BayTSP produces responsive documents on a rolling basis as they become  
8 available.

9 2. The parties will negotiate further extensions of this deadline in good faith, if  
10 necessary.

11 3. BayTSP will provide YouTube with periodic status updates on the quantity of  
12 documents BayTSP has reviewed and produced and the quantity of unreviewed documents  
13 remaining.

14 AGREED and STIPULATED  
15 September 14, 2009

*Attorneys for YouTube, Inc., YouTube, LLC  
and Google Inc.*

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AGREED and STIPULATED

*Attorneys for BayTSP, Inc.*

September 14, 2009

By: /s/ Philip M. Kelly

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*Filer's Attestation: Pursuant to General Order No. 45, Section X(B), the filer hereby attests that the signatories' concurrence in the filing of this document has been obtained*

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 28, 2009



Honorable Patricia V. Trumbull  
United States Magistrate Judge